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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/666,074	09/21/2000	Bret Alden Greenstein	AUS9-2000-0384-US1	8919
35525	7590	05/05/2006	EXAMINER	
IBM CORP (YA) C/O YEE & ASSOCIATES PC P.O. BOX 802333 DALLAS, TX 75380			WON, MICHAEL YOUNG	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/666,074

Applicant(s)

GREENSTEIN ET AL.

Examiner

Michael Y. Won

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-27, 43-49 and 53 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-27, 43-49 and 53 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Applicant's election with traverse of Group I (claims 21-27, 43-49, and 53) in the reply filed on November 28, 2005 is acknowledged.

The traversal is on the ground(s) that the examiner did not make a proper requirement **as early as possible** or **as soon as the need for a proper requirement develops**.

This is not found persuasive because a **restriction requirement... may be made at any time before final action**. After careful review the examiner concluded a serious burden exists if restriction is not required. When searching for references an examiner must use the best possible reference, however, the best reference for claims of Group I vs. Group II fall under different class/subclass. Therefore, when the claims of Group I are considered allowable, the claims of Group II will not be considered allowable and similarly the reversal is true. This places a burden on the examiner to perform two separate searches. For this reason the restriction is proper.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 21-27, 43-49, and 53 have been examined and are pending with this action

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 21-27, 43-49, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Noma et al. (US 6,954,902 B2) in view of Dawson (US 5,727,155 A).

**INDEPENDENT:**

As per ***claim 21***, Noma teaches a method in a data processing system, comprising:

rendering a three-dimensional environment on a client computer associated with a first participant to form a rendered three-dimensional environment (see Fig.4 and col.6, lines 10-19);

receiving shared data from a client computer associated with a second participant, wherein the shared data includes information to be shared between the second participant and the first participant (see col.5, lines 48-61); and

displaying a virtual representation of the shared data in the rendered three-dimensional environment on the client computer associated with the first participant (see Fig.4 and col.5, lines 56-61).

Noma does not explicitly teach of the shared data includes access control information indicating an access control level for the first participant and displaying based on the access control level of the first participant.

Dawson teaches of shared data including access control information indicating an access control level for the first participant (see abstract and col.2, lines 5-17) and displaying based on the access control level of the first participant (see col.2, lines 38-43).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Dawson within the system of Noma by implementing access control and displaying based on that access control within the data processing method, apparatus, and program because Dawson teaches that in a shared (see title) environment, "relinquishing complete control" may be "detrimental" because it allows the participant to have access to information and make modifications to applications that the host or server might not want the participant to have or make such as in proprietary applications and/or data. Dawson further adds other motivation for including access control (see col.1, line 54 to col.2, line 26). Furthermore, Noma teaches in column 8, line 62-64, line with respect to Figure 13 that one user may wish to "impose limitations on other users" which clearly suggest the use of access control.

As per **claim 43**, Noma teaches an apparatus, comprising:

rendering means for rendering a three-dimensional environment on a client computer associated with a first participant to form a rendered three-dimensional environment (see Fig.4 and col.6, lines 10-19);

receipt means for receiving shared data from a client computer associated with a second participant, wherein the shared data includes information to be shared between the second participant and the first participant (see col.5, lines 48-61); and

display means for displaying a virtual representation of the shared data in the rendered three-dimensional environment on the client computer associated with the first participant (see Fig.4 and col.5, lines 56-61).

Noma does not explicitly teach of the shared data includes access control information indicating an access control level for the first participant and displaying based on the access control level of the first participant.

Dawson teaches of shared data including access control information indicating an access control level for the first participant (see abstract and col.2, lines 5-17) and displaying based on the access control level of the first participant (see col.2, lines 38-43).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Dawson within the system of Noma by implementing access control and displaying based on that access control within the data processing method, apparatus, and program because Dawson teaches that in a shared (see title) environment, "relinquishing complete control" may be "detrimental" because it allows the participant to have access to information and make modifications to applications that the host or server might not want the participant to have or make such as in proprietary applications and/or data. Dawson further adds other motivation for including access control (see col.1, line 54 to col.2, line 26). Furthermore, Noma

teaches in column 8, line 62-64, line with respect to Figure 13 that one user may wish to “impose limitations on other users” which clearly suggest the use of access control.

As per **claim 53**, Noma teaches a computer program product, in a computer readable medium, comprising:

instructions for rendering a three-dimensional environment on a client computer associated with a first participant to form a rendered three-dimensional environment (see Fig.4 and col.6, lines 10-19);

instructions for receiving shared data from a client computer associated with a second participant, wherein the shared data includes information to be shared between the second participant and the first participant (see col.5, lines 48-61); and

instructions for displaying a virtual representation of the shared data in the rendered three-dimensional environment on the client computer associated with the first participant (see Fig.4 and col.5, lines 56-61).

Noma does not explicitly teach of the shared data includes access control information indicating an access control level for the first participant and displaying based on the access control level of the first participant.

Dawson teaches of shared data including access control information indicating an access control level for the first participant (see abstract and col.2, lines 5-17) and displaying based on the access control level of the first participant (see col.2, lines 38-43).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Dawson within the system of Noma by

implementing access control and displaying based on that access control within the data processing method, apparatus, and program because Dawson teaches that in a shared (see title) environment, “relinquishing complete control” may be “detrimental” because it allows the participant to have access to information and make modifications to applications that the host or server might not want the participant to have or make such as in proprietary applications and/or data. Dawson further adds other motivation for including access control (see col.1, line 54 to col.2, line 26). Furthermore, Noma teaches in column 8, line 62-64, line with respect to Figure 13 that one user may wish to “impose limitations on other users” which clearly suggest the use of access control.

**DEPENDENT:**

As per **claims 22 and 44**, which depend on claims 21 and 43, respectively, Noma does not explicitly teach wherein the access control level is one of ownership, authorship, viewership, monitorship, and blind.

Dawson further teaches wherein the access control level is one of ownership, authorship, viewership, monitorship, and blind (see col.2, lines 1-3 and col.8, lines 25-30).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Dawson within the system of Noma by implementing wherein the access control level is one of ownership, authorship, viewership, monitorship, and blind within the data processing method and apparatus because it allows the participant to have different access levels to information and



allows only authorized person(s) to make modifications to applications such as in the case of proprietary applications and/or data.

As per **claims 23 and 45**, which depend on claims 21 and 43, respectively, Noma does not further teach of receiving a request to modify the shared data; and determining whether the first participant has a sufficient access control level based on the access control information.

Dawson further teaches of receiving a request to modify the shared data; and determining whether the first participant has a sufficient access control level based on the access control information (see col.2, lines 35-38).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Dawson within the system of Noma by implementing receiving a request to modify the shared data; and determining whether the first participant has a sufficient access control level based on the access control information within the data processing method and apparatus because Dawson teaches that in a shared environment, personal conferencing allows individuals to communicate and access a host computer system remotely and relinquishing complete control of the system may be detrimental. Therefore when accessing to modify a shared data, one would employ access control such that the control of the host computer system does not fall in the wrong hands.

As per **claims 24 and 46**, which depend on claims 23 and 45, respectively, Noma does not further teach of modifying the shared data if the first participant has sufficient access control level.

Dawson further teaches of modifying the shared data if the first participant has sufficient access control level (see col.2, lines 41-43 and col.8, lines 38-43).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Dawson within the system of Noma by implementing modifying the shared data if the first participant has sufficient access control level within the data processing method and apparatus because such is the result of implementing access control.

As per **claims 25 and 47**, which depend on claims 24 and 46, respectively, Noma does not further teach of generating a shared data update event indicating the modification; and sending the shared data update event to at least one other participant.

Dawson further teaches of generating a shared data update event indicating the modification; and sending the shared data update event to at least one other participant (see col.6, lines 55-58 and col.11, lines 40-49).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Dawson within the system of Noma by implementing generating a shared data update event indicating the modification; and sending the shared data update event to at least one other participant within the data processing method and apparatus because such means avoids stale and non-synchronous data.

As per **claims 26 and 48**, which depend on claims 23 and 5 respectively, Noma does not further teach of notifying the first participant of insufficient access control if the first participant does not have a sufficient access control level

Dawson further teaches of notifying the first participant of insufficient access control if the first participant does not have a sufficient access control level (see col.8, lines 21-24 and col.12, lines 8-13).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to employ the teachings of Dawson within the system of Noma by implementing notifying the first participant of insufficient access control if the first participant does not have a sufficient access control level within the data processing method and apparatus because such notifying allows participant to know their access level.

As per **claims 27 and 49**, which depend on claims 21 and 43, respectively, Noma and Dawson teach of further comprising:

receiving a shared data update event indicating a modification to the shared data (see claim 25 rejection above);

modifying the shared data according to the shared data update event to form modified data (see claim 24 rejection above); and

displaying a modified representation of the modified data in the rendered three-dimensional environment based on the access control level of the first participant (see claim 21 rejection above).

***Response to Arguments***

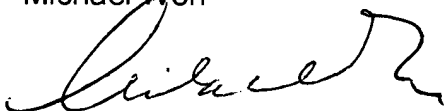
4. Applicant's arguments with respect to the prior art *Matsui et al.* (US 5,956,028 A) have been considered but are moot in view of the new ground(s) of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Y. Won whose telephone number is 571-272-3993. The examiner can normally be reached on M-Th: 7AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Won

A handwritten signature in black ink, appearing to read 'Michael Won', with a stylized flourish at the end.

May 2, 2006